

AMENDED IN ASSEMBLY JUNE 22, 2016

AMENDED IN SENATE APRIL 20, 2016

AMENDED IN SENATE APRIL 7, 2016

**SENATE BILL**

**No. 1085**

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**Introduced by Senator Roth**

February 17, 2016

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An act to amend Section 7841.1 of, and to add Sections 6795.2, 7881.5, and 8801.1 to, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1085, as amended, Roth. Professional engineers: ~~geologists:~~ *geologists and geophysicists* land surveyors.

Existing law makes the Board for Professional Engineers, Land Surveyors, and Geologists responsible for the certification, licensure, and regulation of the practice of professional engineering, the practice of professional geologists and geophysicists, and the practice of professional land surveyors. Except for an applicant for a geophysicist license, existing law requires these applicants for a certificate or license to complete an examination that tests knowledge of state laws, as provided. Existing law subjects these certificates and licenses to renewal and requires the holder of the certificate or license to apply for renewal on a form prescribed by the board and pay a prescribed fee, as provided.

This bill would additionally require an applicant for renewal to complete a board-administered *online* assessment, which includes questions to reinforce the certificate holder's or licenseholder's knowledge of laws applicable to his or her practice area. The bill would ~~make~~ *authorize* the failure to complete the assessment within a specified

period of time *to be* a cause for disciplinary action. *The bill would prohibit the board from charging the renewal applicant a fee for the administration or development of the assessment.* The bill would also require an applicant for a geophysicist license to complete an examination that tests knowledge of state laws, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 6795.2 is added to the Business and  
2 Professions Code, to read:

3 6795.2. (a) At the time of renewal specified in Section 6795  
4 or 6796, the board shall administer an assessment of the certificate  
5 holder that includes questions to reinforce the certificate holder's  
6 knowledge of state laws and the board's rules and regulations  
7 relating to the practice of professional engineers. Failure to  
8 complete this assessment within 60 days after the date of expiration  
9 of the certificate ~~shall constitute a cause for~~ *may result in*  
10 disciplinary action under Section 6775, but shall not affect the  
11 renewal of the certificate.

12 (b) The crime in subdivision (j) of Section 6787 shall not apply  
13 to this section.

14 (c) *The board shall not charge the certificate holder a fee for*  
15 *the administration or development of the assessment.*

16 (d) *For the purposes of this section, "assessment" means an*  
17 *online program that contains educational reading material and*  
18 *questions. The material shall be based on state law and the board's*  
19 *rules and regulations related to the board's top five violations and*  
20 *any changes or additions to existing law.*

21 SEC. 2. Section 7841.1 of the Business and Professions Code  
22 is amended to read:

23 7841.1. An applicant for licensure as a geophysicist shall have  
24 all of the following qualifications. This section shall not apply to  
25 applicants for licensure as geologists.

26 (a) Not have committed any acts or crimes constituting grounds  
27 for denial of licensure under Section 480.

28 (b) Meet one of the following educational requirements fulfilled  
29 at a school or university whose curricula meet criteria established  
30 by rules of the board.

1 (1) Graduation with a major in a geophysical science or any  
2 other discipline that, in the opinion of the board, is relevant to  
3 geophysics.

4 (2) Completion of a combination of at least 30 semester hours,  
5 or the equivalent, in courses that, in the opinion of the board, are  
6 relevant to geophysics. At least 24 semester hours, or the  
7 equivalent, shall be in the third or fourth year, or graduate courses.

8 (c) Have at least seven years of professional geophysical work  
9 that shall include either a minimum of three years of professional  
10 geophysical work under the supervision of a professional  
11 geophysicist, except that prior to July 1, 1973, professional  
12 geophysical work shall qualify under this subdivision if it is under  
13 the supervision of a qualified geophysicist, or a minimum of five  
14 years' experience in responsible charge of professional geophysical  
15 work. Professional geophysical work does not include the routine  
16 maintenance or operation of geophysical instruments, or, even if  
17 carried out under the responsible supervision of a professional  
18 geophysicist, the routine reduction or plotting of geophysical  
19 observations.

20 Each year of undergraduate study in the geophysical sciences  
21 referred to in this section shall count as one-half year of training  
22 up to a maximum of two years, and each year of graduate study  
23 or research counts as a year of training.

24 Teaching in the geophysical sciences referred to in this section  
25 at a college level shall be credited year for year toward meeting  
26 the requirement in this category, provided that the total teaching  
27 experience includes six semester units per semester, or equivalent  
28 if on the quarter system, of third or fourth year or graduate courses.

29 Credit for undergraduate study, graduate study, and teaching,  
30 individually, or in any combination thereof, shall in no case exceed  
31 a total of four years towards meeting the requirements for at least  
32 seven years of professional geophysical work as set forth above.

33 The ability of the applicant shall have been demonstrated by his  
34 or her having performed the work in a responsible position, as the  
35 term "responsible position" is defined in regulations adopted by  
36 the board. The adequacy of the required supervision and experience  
37 shall be determined by the board in accordance with standards set  
38 forth in regulations adopted by it.

39 (d) Successfully pass a written examination that shall test the  
40 applicant's knowledge of state laws, rules, and regulations, and of

1 the principles and practices of geophysics within this state. The  
2 board shall administer the test on the state laws and the board's  
3 rules and regulations as a separate part of the examination for  
4 licensure as a geophysicist.

5 SEC. 3. Section 7881.5 is added to the Business and Professions  
6 Code, to read:

7 7881.5. (a) At the time of renewal specified in Section 7880  
8 or 7881, the board shall administer an assessment of the certificate  
9 holder that includes questions to reinforce the certificate holder's  
10 knowledge of state laws and the board's rules and regulations  
11 relating to the practice of professional geologists and geophysicists.  
12 Failure to complete this assessment within 60 days after the date  
13 of expiration of the certificate ~~shall constitute a cause for~~ *may*  
14 *result in* disciplinary action under Section 7860, but shall not affect  
15 the renewal of the certificate.

16 (b) The crime in subdivision (h) of Section 7872 shall not apply  
17 to this section.

18 (c) *The board shall not charge the certificate holder a fee for*  
19 *the administration or development of the assessment.*

20 (d) *For the purposes of this section, "assessment" means an*  
21 *online program that contains educational reading material and*  
22 *questions. The material shall be based on state law and the board's*  
23 *rules and regulations related to the board's top five violations and*  
24 *any changes or additions to existing law.*

25 SEC. 4. Section 8801.1 is added to the Business and Professions  
26 Code, to read:

27 8801.1. (a) At the time of renewal specified in Section 8801  
28 or 8802, the board shall administer an assessment of the  
29 licenseholder that includes questions to reinforce the  
30 licenseholder's knowledge of state laws and the board's rules and  
31 regulations regulating the practice of professional land surveyors.  
32 Failure to complete this assessment within 60 days after the date  
33 of expiration of the license ~~shall constitute a cause for~~ *may result*  
34 *in* disciplinary action under Section 8780, but shall not affect the  
35 renewal of the license.

36 (b) The crime in subdivision (j) of Section 8792 shall not apply  
37 to this section.

38 (c) *The board shall not charge the licenseholder a fee for the*  
39 *administration or development of the assessment.*

1     *(d) For the purposes of this section, “assessment” means an*  
2     *online program that contains educational reading material and*  
3     *questions. The material shall be based on state law and the board’s*  
4     *rules and regulations related to the board’s top five violations and*  
5     *any changes or additions to existing law.*

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